

REMARKS

This application has been carefully reviewed in light of the Official Action mailed August 20, 2007. Claim 1 is amended above. Claim 9 is added above. Claims 1-9 are now pending in this case. Applicant respectfully requests reconsideration of this application and favorable action on all the remaining claims in this case in view of these amendments and the following remarks.

Claims 1-6 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 1,733,034 to Tufenkjian ("Tufenkjian") in view of U.S. Patent No. U.S. Patent No. 4,826,249 to Bradbury ("Bradbury"). Amended claim 1 requires, in an adaptive pneumatic seat cushion,

- (a)** a plurality of low-elasticity textile tubular pockets arranged side by side *such that adjacent sides of each tubular pocket are substantially contiguous along areas therebetween*;
- (b)** *contiguous areas* of the plurality of tubular pockets being directly interconnected via seams;
- (c)** wherein each of the plurality of tubular pockets comprises a pouch comprising an elastic plastic material with a valve;
- (d)** wherein the plurality of tubular pockets are enclosed by a shell made of a textile material of low elasticity; and
- (e)** wherein, when the plurality of pouches are filled with compressed air, the shell is tensioned forming an actual seat or backrest surface via a top surface of the tensioned shell.

(emphasis added). As disclosed in the subject application, such an invention provides a lightweight, and highly adaptable seat and backrest cushion for use in automobiles or on airplanes. *See, e.g.*, subject specification, page 1, lines 20-26.

Tufenkjian and Bradbury each fail to teach limitations (a) and (b) of amended claim 1. In contrast, Bradbury contains no disclosure whatsoever regarding these claim limitations.

Tufenkjian merely discloses tubes *held in a spaced relation* by strips that are disposed between the inflated tubes, not side by side tubular pockets arranged such that the adjacent sides of each tubular pocket are *substantially contiguous* and *directly interconnected* via seams as required by limitations (a) and (b) of amended claim 1. *See* Tufenkjian, pg. 1, ln. 43-51; Fig.2; Fig. 3. For at least this reason, amended claim 1 is patentable over Tufenkjian and Bradbury.

In addition, there is no suggestion in the prior art to modify the teachings of Tufenkjian or Bradbury so as to reach the requirements of amended claim 1, much less its associated benefits. Absent such suggestion, any such modification would necessarily be based on the improper hindsight application of Applicant's own teachings. For this additional reason amended claim 1 is patentable over Tufenkjian and Bradbury.

Claims 2-6 and 8 depend from, and further restrict in a patentable sense, independent claim 1. For the reasons set forth above with regard to amended claim 1, claims 2-6 and 8 are also patentable over Tufenkjian and Bradbury.

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tufenkjian in view of Bradbury, and in further view of U.S. Patent No. 4,965,899 to Sekido, et al. ("Sekido"). Claim 7 depends from, and further restricts in a patentable sense, independent claim 1. For the reasons set forth above with regard to amended claim 1, claim 7 is patentable over Tufenkjian and Bradbury. The mere addition of Sekido does not cure the deficiencies of Tufenkjian and Bradbury as references.

New independent claim 9 also relates to an adaptive pneumatic seat and backrest cushion similar to amended claim 1. Claim 9 contains the further limitation that the vertical height of each tubular pocket varies along its length such that the minimum height is located in the approximate center of the tubular pocket. Support for this limitation can be found at least in Figure 5, and on page 4, lines 5-22 of the original application specification. This additional limitation is not disclosed in any reference relied upon by the Examiner. For at least this reason, Applicant respectfully asserts that claim 9 is in condition for allowance.

In view of the above amendment, Applicant respectfully submits that the present application is in condition for allowance. A Notice to that effect is respectfully requested.

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Respectfully submitted,

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